

PATENT
Attorney Docket No. INK-046
(2108/42)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Jacobson et al.
SERIAL NO.: 09/349,806 GROUP NO.: 2776
FILING DATE: July 8, 1999 EXAMINER: Not yet assigned
TITLE: Methods for Achieving Improved Color in Microencapsulated Electrophoretic Devices

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

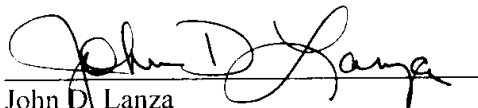
In response to the Notice to File Missing Parts mailed July 8, 1999, enclosed is an executed Declaration/Power of Attorney for filing in the application referenced above. Also enclosed is a Executed Small Entity Statement, and a check in the \$584.00 in payment of the surcharge for filing the Declaration and for a one month Extension of Time.

Please charge Deposit Account No. 20-0531 for any additional fees that may be due in this matter.

Respectfully submitted,

Date: October 27, 1999
Reg. No. 40,060

Tel. No. (617) 248-7604
Fax: (617) 248-7100


John D. Lanza
Attorney for Applicant
Testa, Hurwitz, & Thibault
High Street Tower
125 High Street
Boston, Massachusetts 02110



**UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office**

Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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DATE MAILED:

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). **If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.**

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ **small entity (statement filed)** ☐ **non-small entity is \$** 1038.

- ☐ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.
Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☒ 2. The following additional claims fees are due:
\$ 90 for 5 total claims over 20.
\$ 78 for 1 independent claims over 3.
\$ _____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☒ **is missing or unsigned.**
☐ does not cover the newly submitted items.
An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.
☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

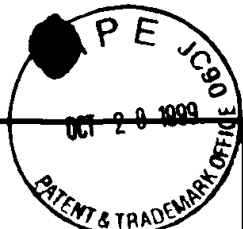
- ☐ 6. **A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).**
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.
☐ 8. The application was filed in a language other than English.
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.16(e) previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).
☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply

Customer Service Center
Initial Patent Examination Division (703) 308-1202

11/03/1999 INSHFEM 6000104 6034900
01 FC:201
02 FC:203
03 FC:205
04 FC:215
05



TRANSMITTAL FORM

Application Serial Number	09/349,806
Filing Date	July 8, 1999
First Named Inventor	Jacobson
Group Art Unit	2776
Examiner Name	Not Yet Assigned
Attorney Docket No.	INK-046 (2108/42)

ENCLOSURES (check all that apply)

- | | | |
|--|--|---|
| <input checked="" type="checkbox"/> Fee Transmittal Form
<input checked="" type="checkbox"/> Check Attached
<input type="checkbox"/> Copy of Fee Transmittal Form

<input type="checkbox"/> Amendment/Response
<input type="checkbox"/> After Final (under C.F.R. § 1.129)

<input type="checkbox"/> Affidavits/declaration(s)
<input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]

<input checked="" type="checkbox"/> Extension of Time Request

<input type="checkbox"/> Information Disclosure Statement
<input type="checkbox"/> Form PTO-1449
<input type="checkbox"/> Copies of IDS Citations

<input type="checkbox"/> Certified Copy of Priority Document(s)

<input checked="" type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input checked="" type="checkbox"/> Copy of Notice to File Missing Parts of Application (PTO-1553)

<input type="checkbox"/> Formal Drawing(s)

<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition to Convert to a Provisional Application

<input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)

<input type="checkbox"/> Terminal Disclaimer

<input checked="" type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application

<input checked="" type="checkbox"/> Small Entity Statement

<input type="checkbox"/> Request for Refund

<input type="checkbox"/> After Allowance Communication to Group | <input type="checkbox"/> Appeal Communication to Board of Patent Appeals and Interferences

<input type="checkbox"/> Appeal Communication to Group <i>Notice of Appeal</i>

<input type="checkbox"/> Status Letter

<input checked="" type="checkbox"/> Return Receipt Postcard

<input checked="" type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8

<input type="checkbox"/> Additional Enclosure(s) (please identify below) |
|--|--|---|

CORRESPONDENCE ADDRESS

Direct all correspondence to: Patent Administrator
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110
Tel. No.: (617) 248-7000
Fax No.: (617) 248-7100

SIGNATURE BLOCK

Respectfully submitted,

Date: October 27, 1999
Reg. No. 40.060
Tel. No.: (617) 248-7604
Fax No.: (617) 248-7100

John D. Lanza
Attorney for Applicants
Testa, Hurwitz & Thibault, LLP
High Street Tower
125 High Street
Boston, MA 02110

FEE TRANSMITTAL

Note: Effective October 1, 1997
Patent fees are subject to annual revision

Complete if Known

Application Serial Number	09/349,806
Filing Date	July 8, 1999
First Named Inventor	Jacobson
Group Art Unit	2776
Examiner Name	Not Yet Assigned
Attorney Docket No.	INK-046 (2108/42)

METHOD OF PAYMENT

1. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other
2. ☒ The Commissioner is hereby authorized to credit or charge any fee indicated below to Deposit Account No. 20-0531.
☐ Required Fees (copy of this sheet enclosed)
☒ Additional fee required
☒ Overpayment Credit.

FEE CALCULATION

1. FILING FEE

Large Entity

Fee (\$)	Fee Description	Fee Paid
760	Utility filing fee	760.00
310	Design filing fee	
150	Provisional filing fee	

	Number Filed	Number Extra	Rate	Amount
Total Claims	25	- 20 = 5	x \$ 18.00 =	90.00
Independent Claims	4	- 3 = 1	x \$ 78.00 =	78.00

☐ Multiple Dependent Claim(s), if any

\$260.00 =

TOTAL: 928.00

SMALL ENTITY DISCOUNT: 464.00

SUBTOTAL (1) (\$) 464.00

2. AMENDMENT CLAIM FEES

Claims Remaining After Amend.	Highest No. Previously Paid For	Present Extra	Rate	Fee Paid
Total	-	=	x \$ 18.00 =	
Indep.	-	=	x \$ 78.00 =	
<input type="checkbox"/> First Presentation of Multiple Dep. Claim			+ \$260.00 =	

TOTAL: (\$)

SMALL ENTITY DISCOUNT: (\$)

SUBTOTAL (2) (\$) 464.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee (\$)	Small Entity Fee (\$)	Fee Description	Fee Paid
130	65	Surcharge - late filing fee or oath	65.00
50	25	Surcharge - late provisional filing fee or oath	
130	130	Non-English specification	
520	2,520	For filing a request for reexamination	
110	55	Extension for reply within first month	55.00
380	190	Extension for reply within second month	
870	435	Extension for reply within third month	
1,360	680	Extension for reply within fourth month	
1,850	925	Extension for reply within fifth month	
300	150	Notice of Appeal	
300	150	Filing a brief in support of an appeal	
260	130	Request for oral hearing	
130	130	Petitions to the Commissioner	
50	50	Petitions related to provisional applications	
240	240	Submission of Information Disclosure Statement (37 CFR 1.97(e))	
130	130	Submission of Information Disclosure Statement (37 CFR 1.97(d))	
760	380	Filing a submission after final rejection (37 CFR 1.129(a))	
760	380	For each additional invention to be examined (37 CFR 1.129(b))	
		Other (Specify):	

SUBTOTAL (3) (\$) 120.00

SUBTOTAL (1) 464.00

SUBTOTAL (2)

SUBTOTAL (3) 120.00

TOTAL (\$) 584.00

CORRESPONDENCE ADDRESS

Direct all correspondence to:

Patent Administrator
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110
 Tel. No.: (617) 248-7000
 Fax No.: (617) 248-7100

linkkila2108/42.4876236-1

SIGNATURE BLOCK

Respectfully submitted,

John D. Lanza
 John D. Lanza
 Attorney for the Applicants
 Testa, Hurwitz & Thibault, LLP
 High Street Tower
 125 High Street
 Boston, MA 02110

Date: October 27, 1999
 Reg. No.: 40,060
 Tel. No.: (617) 248-7406
 Fax No.: (617) 248-7100



sector 1/8

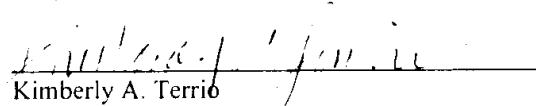
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APPLICANT(S): Jacobson et al.
SERIAL NO.: 09/349,806 GROUP NO.: 2776
FILING DATE: July 8, 1999 EXAMINER: Not Yet Assigned
TITLE: METHODS FOR ACHIEVING IMPROVED COLOR IN
MICROENCAPSULATED ELECTROPHORETIC DEVICES

CERTIFICATE OF FIRST CLASS MAILING UNDER 37 C.F.R. 1.8

I hereby certify that this correspondence, and any document(s) referred to as enclosed herein, is/are being deposited with the United States Postal Service as first class mail, postage prepaid, in an envelope addressed to Box Missing Parts, Assistant Commissioner for Patents, Washington, DC 20231 on this ____ day of October, 1999.


Kimberly A. Terrio

BOX MISSING PARTS
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Submitted herewith is/are:

Transmittal Form (1 page); Fee Transmittal Form (1 page); Small Entity Statement (1 page); Response to Missing Parts (1 page); Executed Declaration/Power of Attorney for Utility Patent Application (4 pages); Copy of Form PTO-1533 (1 page); One Month Extension of Time Request (1 page); check in the amount of \$584.00; and a mailroom postcard.